

UNITED STATES DEPARTMENT OF TRANSPORTATION  
~~RECEIVED~~ FEDERAL AVIATION ADMINISTRATION  
WASHINGTON, DC

92 FEB 10 P 5:26

AGC-10

Served: February 6, 1992

FAA Order No. 92-9

In the Matter of:

WILLIAM R. GRIFFIN

)  
)  
) Docket No. CP90S00349  
)  
)  
)

ORDER DISMISSING RESPONDENT'S APPEAL AS MOOT

The hearing in this case was held on October 18, 1991. At the conclusion of the hearing, Chief Administrative Law Judge John J. Mathias issued his oral initial decision. Both Complainant and Respondent filed appeals from the law judge's decision. Complainant withdrew its appeal on December 9, 1991, and I dismissed it in an order served on December 24, 1991.

On January 9, 1992, Complainant withdrew the Complaint and the Final Notice of Proposed Civil Penalty. In a motion filed the same day, Complainant seeks to have Respondent's appeal dismissed as moot in light of its withdrawal of the Complaint and the Final Notice of Proposed Civil Penalty. Respondent has not replied to Complainant's motion to dismiss his appeal within the time permitted for answering a motion.<sup>1/</sup>

---

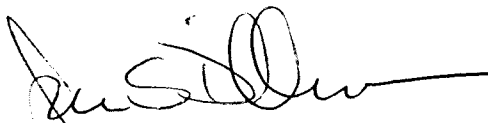
<sup>1/</sup> See 14 C.F.R. § 13.218(d), providing that a party may file an answer to a motion no later than 10 days after service of a written motion on that party. See also § 13.211(e), providing an additional 5 days for response after service by mail.

I find that Respondent's appeal is in fact moot because the Complaint and Final Notice of Proposed Civil Penalty have been withdrawn.

THEREFORE, IT IS ORDERED THAT:

Respondent's appeal is dismissed as moot.

BARRY LAMBERT HARRIS  
Acting Administrator  
Federal Aviation Administration



by: JAMES S. DILLMAN\*  
Assistant Chief Counsel

Issued this 4th day of February, 1992.

\* Issued under authority delegated to the Chief Counsel and the Assistant Chief Counsel for Litigation by Memorandum dated January 29, 1990, under 49 U.S.C. § 322(b) and 14 C.F.R. § 13.202. See 55 Fed. Reg. 15,094 (1990).